

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOB, f/k/a

Wesley Lucien Williams,

Plaintiff,

VS.

D. HAGEN , et al.,

Defendants.

8:04cv451

ORDER

This matter is before the court on filing no. 77, the defendants' Motion for Summary Judgment. The plaintiff shall respond to the defendants' motion by April 28, 2006, by filing a brief and any available evidentiary support for the claims asserted by the plaintiff in his complaint. In the absence of a timely response, this action may be subject, without further notice, to dismissal, without prejudice, as abandoned and for lack of prosecution. See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."

IT IS THEREFORE ORDERED:

1. That by April 28, 2006, the plaintiff shall file a brief and any available evidentiary support for his claims in response to the defendants' Motion for Summary Judgment; and

2. That in the absence of a timely response by the plaintiff to the defendants' motion, this action may be subject, without further notice, to dismissal without prejudice, as abandoned and for lack of prosecution.

DATED this 27th day of March, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge